

¹ Docket No. 712.

NOTICE TO VACATE HEARINGS

NOTICE IS HEREBY GIVEN that due to the confirmation of the Third Amended Chapter 11 Plan of Reorganization (the "Plan") and occurrence of the Effective Date (as defined in the Plan) as noticed in the Notice of: (I) Entry of Order Confirming Third Amended Chapter 11 Plan of Reorganization; (II) Occurrence of Effective Date; and (III) Deadlines for Filing Administrative Claims and Fee Claims filed in the above-captioned case on December 15, 2010, the hearings currently scheduled for January 10, 2011 at 9:30 a.m. PST have been rendered moot and are hereby vacated. The hearings to be vacated are as follows:

- 1. Motion Regarding Chapter 11 First Day Motions (Motion for Approval of Stipulation for Entry of Interim and Final Orders (A) Authorizing and Approving Debtor's (1) Use of Cash Collateral, and (2) Granting Adequate Protection to Prepetition Secured Parties, and (B) Scheduling a Final Hearing With Proposed Order (Filed by FX Luxury Las Vegas I, LLC) [Dkt #: 708; Rel #: 13];
- 2. Motion to Appoint Trustee With Proposed Order (Filed by The Huff International Fund, L.P. and the Huff Alternative Parallel Fund, L.P.) [Dkt #: 708; Rel #: 112];
- 3. Motion for Relief From Stay Property: Harmon Ave. and Las Vegas Blvd. (Filed By Landesbank Baden-Wurttemberg) [Dkt #: 708; Rel #: 300];
- 4. Emergency Motion to Use Cash Collateral/Motion for Entry of Second Amended Interim Order (I) Authorizing and Approving Debtor's Use of Cash Collateral; and (II) Scheduling a Hearing for Entry of a Final Order Authorizing and Approving Such Use With Proposed Order (Filed By FX Luxury Las Vegas I, LLC) [Dkt #: 708; Rel #: 337];
- 5. Motion for Approval of Procedures Motion of the Backstop Investors for Entry of an Order (A) Approving Disclosure Statement; (B) Approving Solicitation Procedures; (C) Approving Forms of Ballots and Noticing Procedures; and (D) Scheduling Certain Dates With Respect Thereto With Proposed Order (Filed By Five Mile Capital Pooling International LLC; Spectrum Investment Partners, L.P. & Transamerica Life Insurance Company) [Dkt #: 708; Rel #: 376];
- 6. Application for Entry of an Order Pursuant to Sections 506, 1111(B), and 1125 of the Bankruptcy Code and Bankruptcy Rules 3012 and 3014 (A) Determining the Value of the First Lien Lenders' Claims and Requiring the First Lien Parties to Make An Election Under 11 U.S.C. § 1111(b)(2) (Filed By Five Mile Capital Pooling International LLC; Spectrum Investment Partners, L.P. & Transamerica Life Insurance Company) [Dkt #: 708; Rel #: 395]; and

Case 10-17015-bam Doc 734 Entered 01/05/11 13:56:03 Page 3 of 3

KOLESAR & LEATHAM, CHTD.

7. Motion for Approval of Procedures Motion of LBBW for Entry of an Order Approving (I) Disclosure Statement; (II) Solicitation Procedures; (III) Forms of Ballots and Noticing Procedures; and (IV) Certain Dates With Respect Thereto With Proposed Order (Filed by Landesbank Baden-Wurttemberg) [Dkt #: 708; Rel #: 498].

Dated this 5 day of January, 2011.

By:

NILE LEATHAM, ESQ. Nevada Bar No. 002838 ELLIOTT R. EISNER, ESQ. Nevada Bar No. 002821 NATALIE M. COX, ESQ. Nevada Bar No. 007662

KOLESAR & LEATHAM, CHTD. 3320 West Sahara Avenue, Suite 380 Las Vegas, Nevada 89102-3202 Telephone No. (702) 362-7800 Facsimile No. (702) 362-9472

-and-

LENARD M. PARKINS, ESQ. (*PRO HAC VICE*)
HENRY FLORES, ESQ. (*PRO HAC VICE*)
TREVOR R. HOFFMANN, ESQ. (*PRO HAC VICE*)
JONATHAN HOOK, ESQ. (*PRO HAC VICE*)
HAYNES AND BOONE, LLP
1221 Avenue of the Americas, 26th Floor
New York, New York 10020
Telephone No. (212) 659-7300
Facsimile No. (212) 884-8226

Attorneys for FIVE MILE CAPITAL POOLING INTERNATIONAL LLC; SPECTRUM INVESTMENT PARTNERS, L.P.; & TRANSAMERICA LIFE INSURANCE COMPANY